

REMARKS/ARGUMENTS

In response to the Examiner's Objections to the Drawing, the applicant has remove and reference in the claims to rear and forward position and thereby believes the drawing should not be acceptable.

As to the rejection of Claims 3 – 5, under 35 USC 112, on page 26, paragraph 123 clearly states that the shaft is movable between the proximal and distal positions and therefore, Applicant believes that the Examiner's rejection is not well founded.

As to the rejection of claims 1 – 13 under 35 USC 102, Applicant has limited the claims to a device that may be directly inserted as opposed to inserted through a trocar as required by US Patent 5,190,541.

In view of the above, Applicant respectfully requests that a timely Notice of Allowance be issued in this Case.

Respectfully submitted,

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